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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/307,113 09/16/94 MURRAY

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EXAMINER BOUCHER, D

ART UNIT	PAPER NUMBER
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35M1/0214
TOWNSEND TOWNSEND KHOURIE AND CREW
STUART STREET TOWER
ONE MARKET PLAZA
SAN FRANCISCO CA 94105

3508

DATE MAILED:

02/14/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 9-16-94 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- ☐ Notice of References Cited by Examiner, PTO-892.
- ☒ Notice of Draftsman's Patent Drawing Review, PTO-948.
- ☐ Notice of Art Cited by Applicant, PTO-1449.
- ☐ Notice of Informal Patent Application, PTO-152.
- ☒ Information on How to Effect Drawing Changes, PTO-1474.
- ☐

Part II SUMMARY OF ACTION

- ☒ Claims 54-62 are pending in the application.
Of the above, claims — are withdrawn from consideration.
- ☒ Claims 1-53 have been cancelled.
- ☐ Claims — are allowed.
- ☒ Claims 54-62 are rejected.
- ☐ Claims — are objected to.
- ☐ Claims — are subject to restriction or election requirement.
- ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- ☐ Formal drawings are required in response to this Office action.
- ☒ The corrected or substitute drawings have been received on —. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
- ☒ The proposed additional or substitute sheet(s) of drawings, filed on 9-16-94 has (have) been ☒ approved by the examiner; ☐ disapproved by the examiner (see explanation).
- ☐ The proposed drawing correction, filed —, has been ☐ approved; ☐ disapproved (see explanation).
- ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. —; filed on —.
- ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- ☐ Other

EXAMINER'S ACTION

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Part III DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 54-58 are rejected under 35 U.S.C. § 102(b) as being anticipated by Parker '646. Parker '646 teaches all the elements of the claimed invention of a locking device for a specially designed rectangular slot 7 including housing 8 with rotatable locking part 9, pin 13 with threaded portion 19, cavity 11, and aperture 18.

3. Claims 54-59, 61 are rejected under 35 U.S.C. § 102(b) as being anticipated by Robeson '842. Robeson '842 teaches all the elements of the claimed invention of a locking device for a specially designed rectangular slot (keyway) including housing 11 with rotatable locking part 2, spindle with pin 11a, 4 with threaded portion (coaction of 5 and groove 6, cavity and/or aperture 6,7 and sidewall apertures (not labelled).

4. Claims 54, 56, 57, and 61 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Jacobi '261.

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

6. Claims 59, 60 and 62 are rejected under 35 U.S.C. § 103 as being unpatentable over Jacobi '261 in view of Wheeler '364. Jacobi '261 teaches a locking device having locking member 23, pin 21, spindle 26 and housing 10. Jacobi '261 fails to teach a set of apertures on the sidewall used to accept a cable of a padlock instead of a lock cylinder. Wheeler '364 teaches it is well known to slide a spindle and pin in a cavity of housing 10a wherein both members have complementary apertures in their sidewalls for accepting the shackle of a padlock. It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the cylinder lock of Jacobi '261 with apertures and a padlock like that taught by Wheeler '364

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since the locking configuration of Wheeler '364 is simpler, less expensive yet as effective method of locking the device of Jacobi '261.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darnell Boucher whose telephone number is (703) 308-2492.

DMB
D.M. Boucher
February 5, 1995

Darnell M. Boucher
DARNELL M. BOUCHER
PATENT EXAMINER
GROUP 3500